

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

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In re:

PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

No. 17 BK 3283-LTS

THE COMMONWEALTH OF PUERTO RICO
et al.,

(Jointly Administered)

Debtors.¹

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ORDER CONCERNING REPLIES IN SUPPORT OF THE THREE
HUNDRED SEVENTY-FOURTH OMNIBUS OBJECTION TO CLAIMS

The Court has received and reviewed the *Reply of the Commonwealth of Puerto Rico, the Puerto Rico Sales Tax Financing Authority, the Puerto Rico Highways and Transportation Authority, the Employees Retirement System of the Government of the Commonwealth of Puerto Rico, and the Puerto Rico Public Buildings Authority to Responses [ECF Nos. 18109, 18110, 18120, 18123, 18139, 18158, 18159, 18165, 18166, 18177, 18184, 18197, 18218, 18234, 18237, 18376, 18480, 18507, 18530, 19033, 19037, 19046, 19125, 19202, 19803] to the Three Hundred Seventy-Fourth Omnibus Objection (Substantive) to Late-Filed Claims* (Docket Entry No. 19990) (the “Reply”),² filed by the Financial Oversight and

¹ The Debtors in these Title III cases, along with each Debtor’s respective bankruptcy case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (iv) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

² See also, e.g., *Reply of the Commonwealth of Puerto Rico, the Puerto Rico Sales Tax Financing Authority, the Puerto Rico Highways and Transportation Authority, the Employees Retirement System of the Government of the Commonwealth of Puerto Rico,*

Management Board for Puerto Rico (the “Oversight Board”). In multiple places, the Reply indicates that to the extent certain claimants identified in the Three Hundred Seventy-Fourth Omnibus Objection³ assert claims on account of any liabilities other than principal, interest, or fees and expenses on bond claims, such portions of such claims should be disallowed as late-filed, but that under the pertinent Bar Date Order, any claim for the repayment of principal, interest, and other fees and expenses is not subject to the Bar Date because claimants were not required to file such claims (the “Bond-Related Claims”). (See, e.g., Reply ¶¶ 3-4, 11, 14, 19, 22, 38.)

Because the Reply does not seek to disallow claims for principal, interest, and other fees and expenses, and because the Three Hundred Seventy-Fourth Omnibus Objection does not exempt such portions of Bond-Related Claims from disallowance on its own terms, it is hereby ORDERED that the Oversight Board shall, prior to submitting a proposed order in connection with the Three Hundred Seventy-Fourth Omnibus Objection, file an informative motion stating (i) which proofs of claims are Bond-Related Claims; and (ii) the extent to which the Oversight Board is seeking the disallowance of Bond-Related Claims. The information supplied in response to this Order shall be deemed to modify the relief requested in the Three Hundred Seventy-Fourth Omnibus Objection and the proposed order shall so reflect.

SO ORDERED.

Dated: February 11, 2022

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge

and the Puerto Rico Public Buildings Authority to Responses Filed by Agustín González Velázquez [ECF No. 18070] and Elaine Lynn Irrevocable Trust [ECF Nos. 18139, 18377] to the Three Hundred Seventy-Fourth Omnibus Objection (Substantive) to Late-Filed Claims (Docket Entry No. 19682).

³ Capitalized terms used but not otherwise defined herein have the meanings given to them in the Reply or in the Three Hundred Seventy-Fourth Omnibus Objection.